

IN RE: PETITION FOR ADMIN. VARIANCE
S/W end of Brooknoll Drive, 379' S/W
of centerline of Mt. Vista Road
11th Election District
5th Councilmanic District
12015 Brooknoll Drive
Mark G. & Janice M. Angelozzi
Petitioners

* BEFORE THE
* DEPUTY ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* CASE NO. 99-464-A

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as an administrative variance filed by Mark G. and Janice M. Angelozzi, property owners, for that property known as 12015 Brooknoll Drive in the Kingsville area of Baltimore County. The Petitioners herein seek a variance from Section 400.1 of the Baltimore County Zoning Regulations (BCZR) to permit an accessory structure to be located in the sideyard in lieu of the required rear yard. The subject property and requested relief are more particularly described on Petitioner's Exhibit No. 1, the plat to accompany the Petition for Variance.

The Petitioners having filed a Petition for Administrative Variance and the subject property having been posted, and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

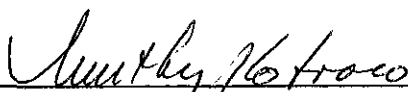
The Petitioners have filed the supporting affidavits as required by Section 26-127 (b)(1) of the Baltimore County Code. Based upon the information available, there is no evidence in the file to indicate that the requested variance would adversely affect the health, safety or general welfare of the public and should therefore be granted. In the opinion of the Deputy Zoning Commissioner, the information, photographs, and affidavits submitted provide sufficient facts that comply with the requirements of Section 307.1 of the B.C.Z.R. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

6/28/99
R. J. Moore


Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the Baltimore County Zoning Regulations, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 22nd day of June, 1999 that a variance from Section 400.1 of the Baltimore County Zoning Regulations (BCZR) to permit an accessory structure to be located in the sideyard in lieu of the required rear yard, be and is hereby GRANTED, subject, however, to the following restrictions which are conditions precedent to the relief granted herein:

- 1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.
- 2) When applying for a building permit, the site plan filed must reference this case and set forth and address the restrictions of this Order.


TIMOTHY M. KOTROCO
DEPUTY ZONING COMMISSIONER
FOR BALTIMORE COUNTY

TMK:raj

6/22/99




Baltimore County
Zoning Commissioner

Suite 405, County Courts Bldg.
401 Bosley Avenue
Towson, Maryland 21204
410-887-4386
Fax: 410-887-3468

June 23, 1999

Mr. & Mrs. Mark G. Angelozzi
12015 Brooknoll Drive
Kingsville, Maryland 21087

Re: Petition for Administrative Variance
Case No. 99-464-A
Property: 12015 Brooknoll Drive

Dear Mr. & Mrs. Angelozzi:

Enclosed please find the decision rendered in the above-captioned case. The Petition for Administrative Variance has been granted in accordance with the enclosed Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days from the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our appeals clerk at 410-887-3391.

Very truly yours,

A handwritten signature in dark ink, appearing to read "Timothy M. Kotroco".

Timothy M. Kotroco
Deputy Zoning Commissioner

TMK:raj
Enclosure

Come visit the County's Website at www.co.ba.md.us



Printed with Soybean Ink
on Recycled Paper



Petition for Administrative Variance to the Zoning Commissioner of Baltimore County

for the property located at 12015 Brooknoll Dr.
which is presently zoned RC-2

This Petition shall be filed with the Department of Permits and Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) 400.1; BCZR, TO PERMIT
AN ACCESSORY STRUCTURE TO BE LOCATED IN THE SIDEYARD
IN LIEU OF THE REQUIRED REAR YARD.

of the zoning regulations of Baltimore County, to the zoning law of Baltimore County, for the reasons indicated on the back of this petition form.

Property is to be posted and advertised as prescribed by the zoning regulations.

I, or we, agree to pay expenses of above Variance, advertising, posting, etc. and further agree to and are to be bounded by the zoning regulations and restrictions of Baltimore County adopted pursuant to the zoning law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser/Lessee:

Name - Type or Print _____
Signature _____
Address _____ Telephone No. _____
City _____ State _____ Zip Code _____

Attorney For Petitioner:

Name - Type or Print _____
Signature _____
Company _____
Address _____ Telephone No. _____
City _____ State _____ Zip Code _____

Legal Owner(s):

Name - Type or Print Mark C Angelozzi
Signature Mark C Angelozzi
Name - Type or Print Janice M. Angelozzi
Signature Janice M. Angelozzi
Address 12015 Brooknoll Dr. Telephone No. 410-592-2421
City Kingsville, Md. State 21087 Zip Code _____

Representative to be Contacted:

Name Same
Address _____ Telephone No. _____
City _____ State _____ Zip Code _____

If Public Hearing having been formally demanded and/or found to be required, it is ordered by the Zoning Commissioner of Baltimore County, this _____ day of _____ that the subject matter of this petition be set for a public hearing, advertised, as required by the zoning regulations of Baltimore County and that the property be reposted.

Zoning Commissioner of Baltimore County

CASE NO. 99-464A

Reviewed By JCM Date 5-19-99

REV 9/15/98

Estimated Posting Date 5-30-99

Affidavit in Support of Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows: That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) does/do presently reside at

12015 Brooknoll Drive
Address
Kingsville, Md. 21087
City State Zip Code

That based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address (indicate hardship or practical difficulty):

The proposed location of the detached garage is the most logical placement due to the limitations caused by the physical characteristics of the lot.

That the Affiant(s) acknowledge(s) that if a formal demand is filed, Affiant(s) will be required to pay a reposting and advertising fee and may be required to provide additional information.

Mark G. Angelozzi
Signature
Mark G. Angelozzi
Name - Type or Print

Janice M. Angelozzi
Signature
Janice M. Angelozzi
Name - Type or Print

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 10th day of May, 1999, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

MARK G. ANGELOZZI AND JANICE M. ANGELOZZI
the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s), and made oath in due form of law that the matters and facts hereinabove set forth are true and correct to the best of his/her/their knowledge and belief.

AS WITNESS my hand and Notarial Seal

May 10, 1999
Date

[Signature]
Notary Public
My Commission Expires 10/01/01

Affidavit in Support of Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows: That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) does/do presently reside at

12015 Brooknoll Drive
Address
Kingsville, MD 21087
City State Zip Code

That based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address (indicate hardship or practical difficulty):

The proposed location of the detached garage is most logical placement due to the limitations caused by the physical characteristics of the lot.

That the Affiant(s) acknowledge(s) that if a formal demand is filed, Affiant(s) will be required to pay a reposting and advertising fee and may be required to provide additional information.

Mark G. Angelozzi
Signature
Mark G. Angelozzi
Name - Type or Print

Janice M. Angelozzi
Signature
Janice M. Angelozzi
Name - Type or Print

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 18th day of May, 1999, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

MARK G. ANGELOZZI AND JANICE M. ANGELOZZI
the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s), and made oath in due form of law that the matters and facts hereinabove set forth are true and correct to the best of his/her/their knowledge and belief.

AS WITNESS my hand and Notarial Seal

May 18, 1999
Date

[Signature]
Notary Public

My Commission Expires 10/01/01



Petition for Administrative Variance to the Zoning Commissioner of Baltimore County

for the property located at 12015 Brooknoll Dr.
which is presently zoned BC-2

This Petition shall be filed with the Department of Permits and Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s)

400.1; BC2R, to permit
an accessory structure to be located in the sideyard
in lieu of the required rear yard.

of the zoning regulations of Baltimore County, to the zoning law of Baltimore County, for the reasons indicated on the back of this petition form.

Property is to be posted and advertised as prescribed by the zoning regulations.

I, or we, agree to pay expenses of above Variance, advertising, posting, etc. and further agree to and are to be bounded by the zoning regulations and restrictions of Baltimore County adopted pursuant to the zoning law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser/Lessee:

Name - Type or Print

Signature

Address Telephone No.

City State Zip Code

Attorney For Petitioner:

Name - Type or Print

Signature

Company

Address Telephone No.

City State Zip Code

Legal Owner(s):

Mark G. Angelozzi

Name - Type or Print

Mark G. Angelozzi

Signature

Janice M. Angelozzi

Name - Type or Print

Janice M. Angelozzi

Signature

12015 Brooknoll Drive

Address

Kingsville, Md. 21087

City

State

Zip Code

Representative to be Contacted:

Same

Name

Address

City

State

Zip Code

Telephone No.

A Public Hearing having been formally demanded and/or found to be required, it is ordered by the Zoning Commissioner of Baltimore County, this day of , that the subject matter of this petition be set for a public hearing, advertised, as required by the zoning regulations of Baltimore County and that the property be reposted.

Zoning Commissioner of Baltimore County

CASE NO. 99-464A

REV 9/15/98

Reviewed By JCM Date 5.19.99

Estimated Posting Date 5.30.99

Zoning Description for 12015 BROOKNOLL DRIVE

Beginning at a point on the southwest end of Brooknoll Drive which is 16.66 feet wide at the distance of 379 feet southwest of the centerline of the nearest improved intersecting street, Mt. Vista Road, which is 50 feet. Being Lot #2 Section # 2 in the subdivision of Brooknoll as recorded in Baltimore County Plat Book # 26, Folio #113, containing 4.082 acres. Also known as 12015 Brooknoll Drive and located in the 11th Election District, 5th Councilmanic District.

464

99-464-A

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No. 066377

DATE 5 9 97

ACCOUNT

For fine

AMOUNT \$ 50.00

RECEIVED

FROM:

12-15

50.00

FOR:

DISTRIBUTION
WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

99-464-A

CASHIER'S VALIDATION

PAID RECEIPT

PROCESS ACTUAL TIME
1/19/1999 5/19/1999 09:25:12
REG 8801 CASHIER JRIC JMR BRALP 1
DEPT 5 520 ZONING VERIFICATION
Receipt # 102677
CR NO. 066377
Receipt Tot 50.00
50.00 CR
Baltimore County, Maryland

CERTIFICATE OF POSTING

RE: CASE # 99-464-A
PETITIONER/DEVELOPER:
(Mark Angelozzi)
DATE OF Closing
(June 14, 1999)

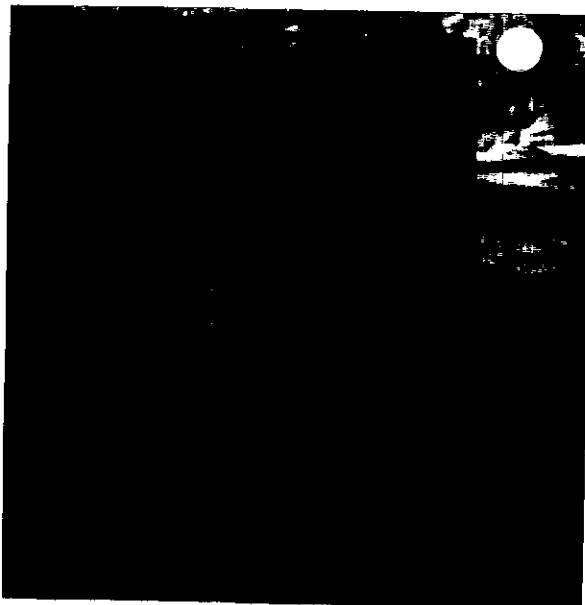
Baltimore County Department of
Permits and Development Management
County Office Building, Room 111
111 West Chesapeake Ave.
Towson, Maryland 21204

ATTENTION : MS. GWENDOLYN STEPHENS

LADIES AND GENTLEMEN:

This letter is to certify under the penalties of perjury that the necessary
sign(s) required by law were posted conspicuously on the property located at
12015 Brooknoll Dr. Baltimore , Maryland 21087_____

The sign(s) were posted on_____ 5-28-99 _____
[Month, Day, Year]



Sincerely,


(Signature of Sign Poster & Date)

_____ Thomas P. Ogle, Sr. _____

_____ 325 Nicholson Road _____

_____ Baltimore, Maryland 21221 _____

_____ (410)-687-8405 _____
(Telephone Number)

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 99- 464 -A

Address 12015 Brooknoll Dr.

Contact Person: J. Menn
Planner, Please Print Your Name

Phone Number: 410-887-3391

Filing Date: 5.19.99

Posting Date: 5.30.99

Closing Date: 6.14.99

Any contact made with this office regarding the status of the administrative variance should be through the contact person (planner) using the case number.

1. **POSTING/COST:** The petitioner must use one of the sign posters on the approved list (on the reverse side of this form) and the petitioner is responsible for all printing/posting costs. Any reposting must be done only by one of the sign posters on the approved list and the petitioner is again responsible for all associated costs. The zoning notice sign must be visible on the property on or before the posting date noted above. It should remain there through the closing date.
2. **DEADLINE:** The closing date is the deadline for an occupant or owner within 1,000 feet to file a formal request for a public hearing. Please understand that even if there is no formal request for a public hearing, the process is not complete on the closing date.
3. **ORDER:** After the closing date, the file will be reviewed by the zoning or deputy zoning commissioner. He may: (a) grant the requested relief; (b) deny the requested relief; or (c) order that the matter be set in for a public hearing. You will receive written notification (typically within 7 to 10 days of the closing date) as to whether the petition has been granted, denied, or will go to public hearing. The order will be mailed to you by First Class mail.
4. **POSSIBLE PUBLIC HEARING AND REPOSTING:** In cases that must go to a public hearing (whether due to a neighbor's formal request or by order of the zoning or deputy zoning commissioner), notification will be forwarded to you. The sign on the property must be changed giving notice of the hearing date, time and location. As when the sign was originally posted, certification of this change and a photograph of the altered sign must be forwarded to this office.

(Detach Along Dotted Line)

Petitioner: This Part of the Form is for the Sign Poster Only

USE THE ADMINISTRATIVE VARIANCE SIGN FORMAT

Case Number 99- 464 -A

Address 12015 Brooknoll Dr.

Petitioner's Name MARK ANGELOZZI

Telephone (410) 592-2421

Posting Date: 5.30.99

Closing Date: 6.14.99

Wording for Sign: A VARIANCE
To Permit AN ACCESSORY STRUCTURE TO BE
LOCATED IN THE SIDEYARD IN LIEU OF THE REQUIRED
REAR YARD.

**DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT
ZONING REVIEW**

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The Baltimore County Zoning Regulations (BCZR) require that notice be given to the general public/neighbor property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property (responsibility of the petitioner) and placement of a notice in a newspaper of general circulation in the County, both at least fifteen (15) days before the hearing.

Zoning Review will ensure that the legal requirements for advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements. The newspaper will bill the person listed below for the advertising. This advertising is due upon receipt and should be remitted directly to the newspaper.

OPINIONS MAY NOT BE ISSUED UNTIL ALL ADVERTISING COSTS ARE PAID.

For Newspaper Advertising:

Item Number or Case Number: 464
Petitioner: Mark G. Angelozzi
Address or Location: 12015 Brookno11 Drive

PLEASE FORWARD ADVERTISING BILL TO:

Name: Mark G. Angelozzi
Address: 12015 Brookno11 Drive
Kingsville MD 21087
Telephone Number: 410-592-2421

Revised 2/20/98 - SCJ

99-464-A



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
pdmlandacq@co.ba.md.us

June 15, 1999

Mr. & Mrs. Mark G. Angelozzi
12015 Brooknoll Drive
Kingsville, MD 21087

Dear Mr. & Mrs. Angelozzi:

RE: Case No.: 99-464-A, Petitioner: Angelozzi,
Location: 12015 Brookknoll Drive

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM), on May 19, 1999.

The Zoning Advisory Committee (ZAC), which consists of representatives from several Baltimore County approval agencies, has reviewed the plans that were submitted with your petition. All comments submitted thus far from the members of the ZAC are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to ensure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. All comments will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency.

Very truly yours,

A handwritten signature in cursive script, appearing to read "W. Carl Richards, Jr.", followed by a flourish.

W. Carl Richards, Jr.
Zoning Supervisor
Zoning Review

WCR:ggs

Enclosures

Come visit the County's Website at www.co.ba.md.us



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on Recycled Paper



**Baltimore County
Fire Department**

700 East Joppa Road
Towson, Maryland 21286-5500
410-887-4500

June 16, 1999

Arnold Jablon, Director
Zoning Administration and Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP-1105

RE: Property Owner: SEE BELOW

Location: DISTRIBUTION MEETING OF JUNE 7, 1999

Item No.: See Below Zoning Agenda:

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

8. The Fire Marshal's Office has no comments at this time,
IN REFERENCE TO THE FOLLOWING ITEM NUMBERS:

456, 457, 458, 459, 460, 461, 462, 464, 465, 466, 467,
468, 469, 470, 471, 472, 474, 475, 476, 477, 478, 479,
480, 483, 484, AND 485

REVIEWER: LT. ROBERT P. SAUERWALD
Fire Marshal Office, PHONE 887-4881, MS-1102F

cc: File

Come visit the County's Website at www.co.ba.md.us


RECEIVED JUN 21 1999

B A L T I M O R E C O U N T Y , M A R Y L A N D

I N T E R O F F I C E C O R R E S P O N D E N C E

TO: Arnold Jablon, Director
 Department of Permits & Development
 Management

Date: June 16, 1999

FROM:  Robert W. Bowling, Supervisor
 Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting
 for June 14, 1999
 Item Nos. 456, 459, 460, 461, 462,
 464 466, 467, 468, 469, 471, 472,
 474, 475, 476, 477, 482, 483, 484,
 & 485

The Bureau of Development Plans Review has reviewed the subject zoning items, and we have no comments.

RWB:HJO:jrb

cc: File

ZAC06149.NOC

RECEIVED JUN 21 1999

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits
and Development Management

Date: June 7, 1999

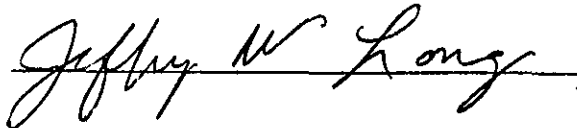
FROM: Arnold F. 'Pat' Keller, III, Director
Office of Planning

SUBJECT: Zoning Advisory Petitions

The Office of Planning has no comment on the following petition(s):
Item No(s): 457, 458, 464, and 467

If there should be any questions or this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 410-887-3480.

Section Chief:

A handwritten signature in cursive script, reading "Jeffrey W. Long", is written over a horizontal line.

AFK/JL



Maryland Department of Transportation
State Highway Administration

Parris N. Glendening
Governor

John D. Porcari
Secretary

Parker F. Williams
Administrator

Date: 6 . 4 . 9 9

Ms. Gwen Stephens
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County
Item No. 464

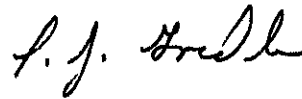
JCM

Dear Ms Stephens:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration projects.

Should you have any questions regarding this matter, please contact Larry Gredlein at 410-545-5606 or by E-mail at (lgredlein@sha.state.md.us).

Very truly yours,


for

Michael M. Lenhart, Chief
Engineering Access Permits Division

My telephone number is _____

Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202



Adjacent Neighbor



464

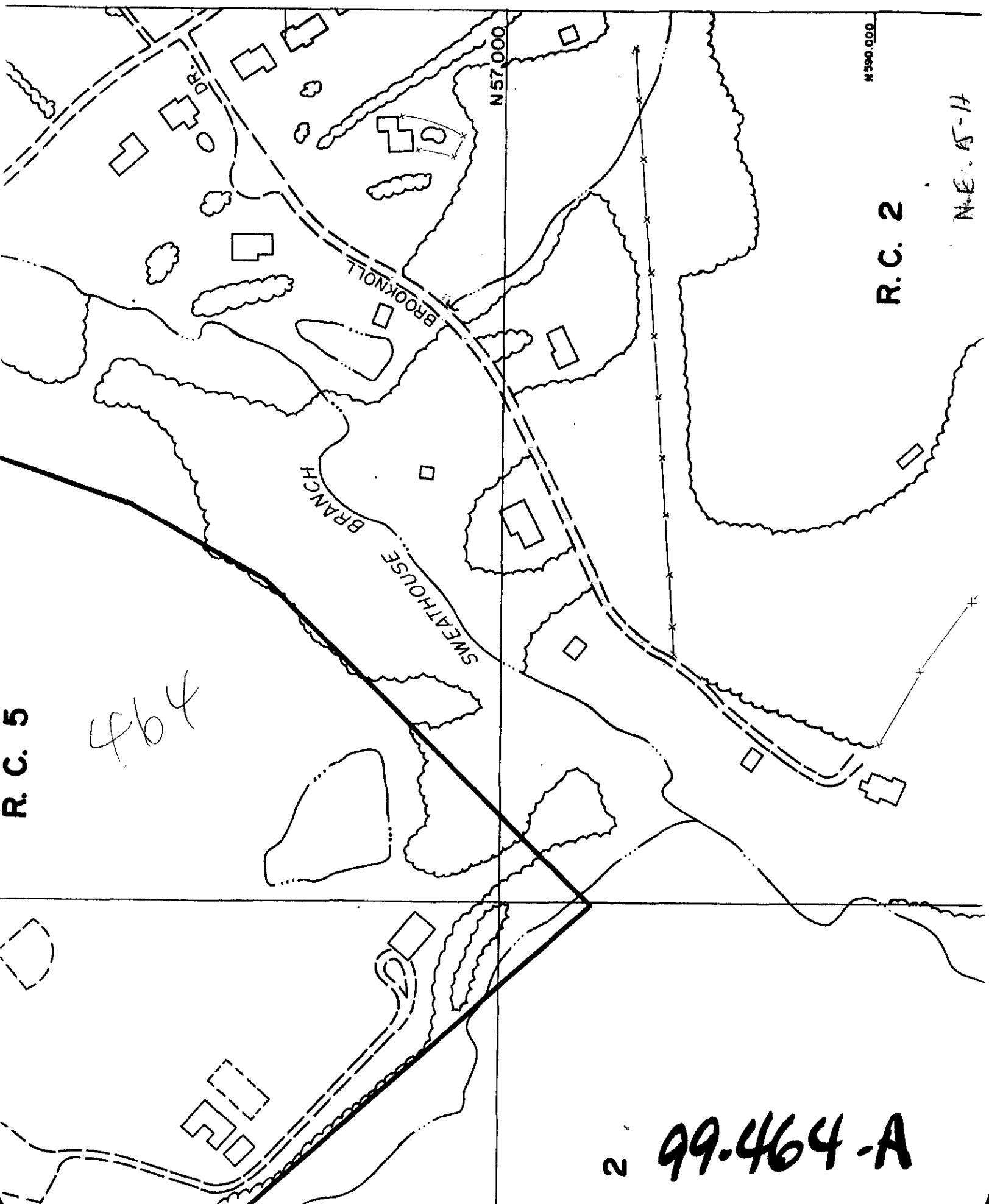
Existing Improvements



99.464-A

R.C. 5

464



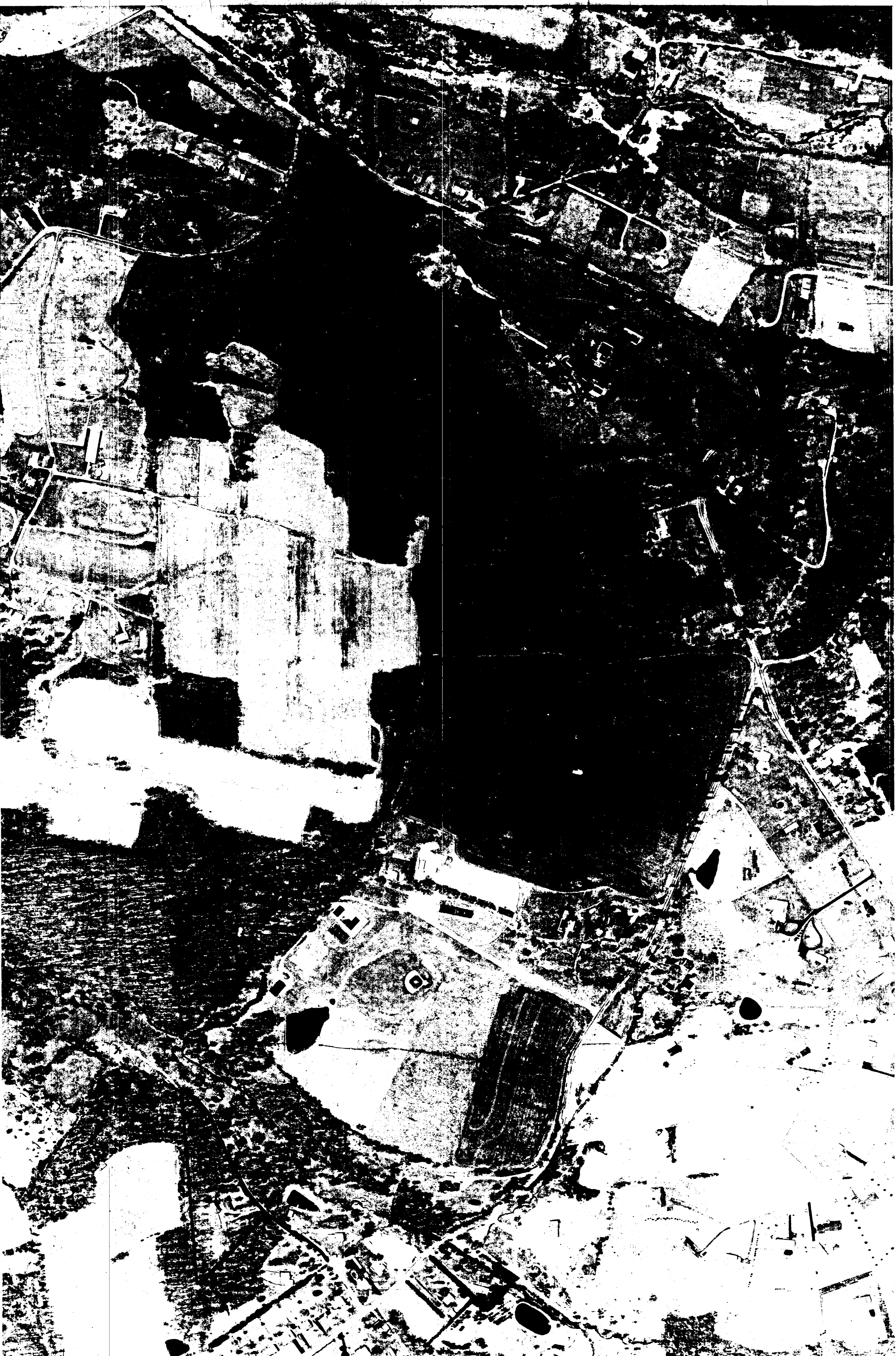
N 57,000

N 590,000

R.C. 2

N.E. 15-14

2 99.464-A



PREPARED BY AIR PHOTOGRAPHICS, INC.
MARTINSBURG, W. V. 25401

BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
PHOTOGRAPHIC MAP

SCALE	LOCATION	SHEET
1" = 200' ±		
DATE OF PHOTOGRAPHY JANUARY 1986	MOUNT VISTA	N.E. 15-H

00-404-00

Plat to accompany Petition for Zoning ☒ Variance ☐ Special Hearing

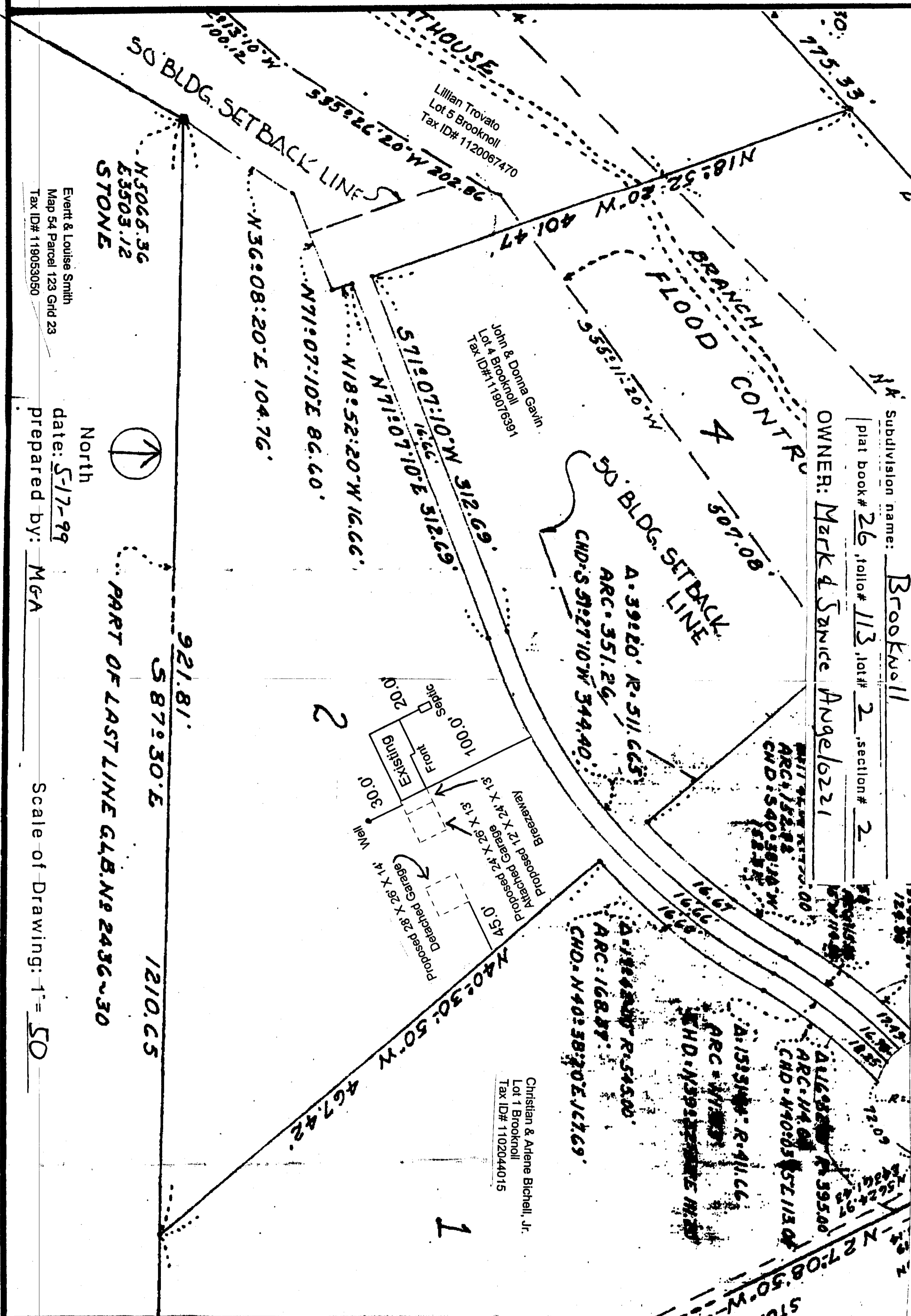
PROPERTY ADDRESS: 12015 Brookno11 Drive

see pages 5 & 6 of the CHECKLIST for additional required information.

Subdivision name: Brookno11

Plat book # 26, folio # 113, lot # 2, section # 2

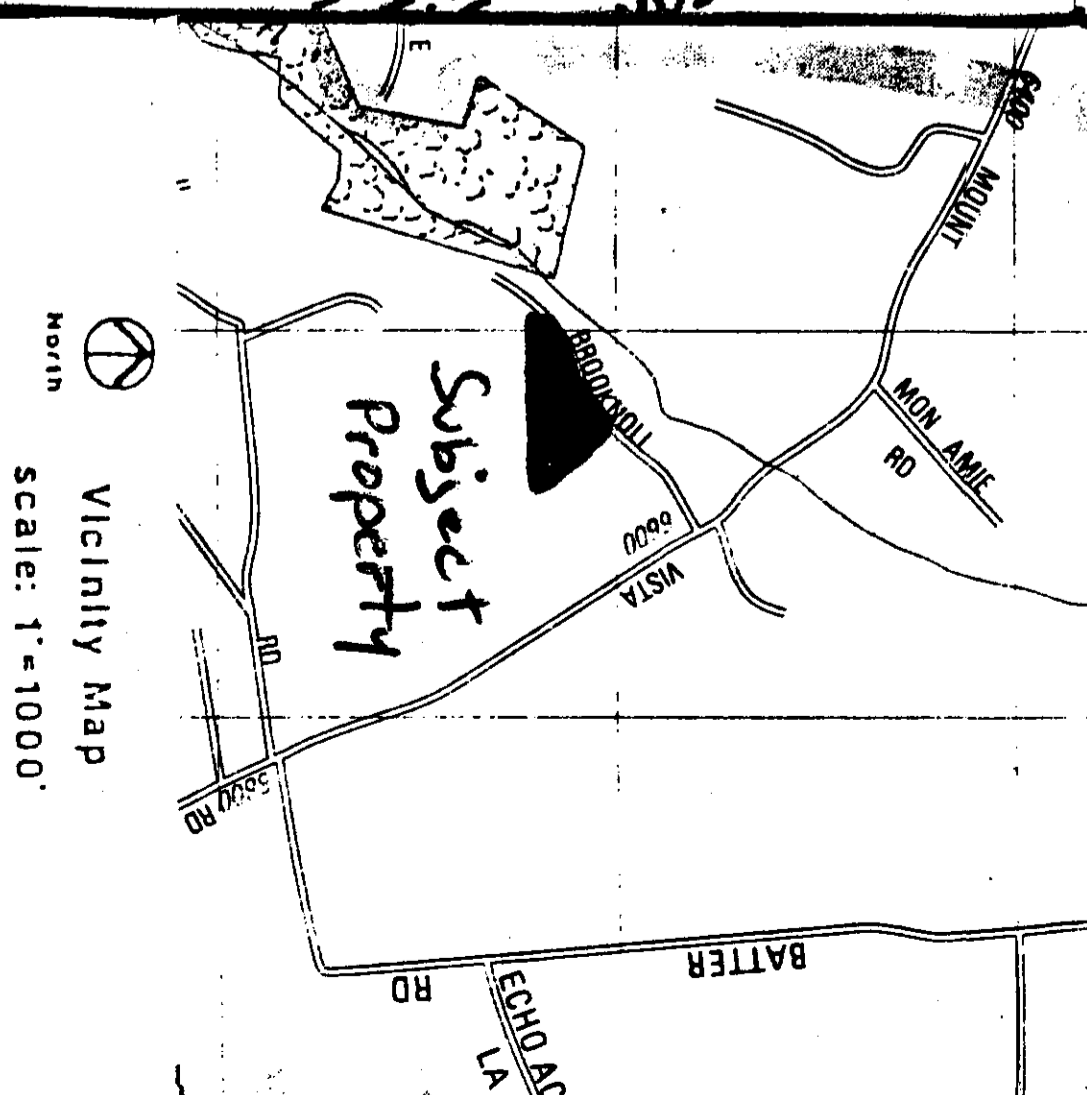
OWNER: Mark & Janice Angelo221



Event & Louise Smith
Map 54 Parcel 123 Grid 23
Tax ID# 119053050

North
date: 5-17-99
prepared by: MGA

Scale of Drawing: 1" = 50



LOCATION INFORMATION

Election District: 11

Councilmanic District: 5

1"=200' scale map#: NE.15-H

Zoning: R.C.2

Lot size: 4.082 177,725
acreage square feet

SEWER: ☐ public ☒ private
WATER: ☐ public ☒ private
Chesapeake Bay Critical Area: ☐ no ☒ yes
Prior Zoning Hearings: None

Zoning Office USE ONLY!

reviewed by: _____ ITEM #: _____ CASE#: _____

gcm 464

A.404.00